

REPORT OF THE COMMITTEE ON TRANSPORTATION

Voting Members:

Tyler Dos Santos-Tam, Chair; Radiant Cordero, Vice-Chair;
Esther Kia'aina, Val A. Okimoto, Andria Tupola

Committee Meeting Held
September 12, 2023

Honorable Tommy Waters
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Transportation, which considered Bill 20 (2023), CD1 entitled:

"A BILL FOR AN ORDINANCE RELATING TO PARKING,"

which passed Second Reading and was the subject of a public hearing held at the April 19, 2023 Council meeting, reports as follows:

The purpose of the bill is to address parking in the City and County of Honolulu ("City"), including the City's restricted parking zone program.

At the Council's meeting held on September 6, 2023, Committee Report No. 237 and Bill 20 (2023), CD2 were recommitted back to the Committee on Transportation.

At its meeting on September 12, 2023, the Director of Transportation Services testified in support of the measure.

Your Committee amended the bill to a CD2 version, as discussed at the meeting (OCS2023-0855), that makes the following amendments:

- A. In SECTION 4 of the bill, amends ROH § 15-30.1 by adding a definition for "Nonresident Single-Day Permit."

HONOLULU CITY COUNCIL
Ke Kanihela o ke Kalana o Honolulu
CITY AND COUNTY OF HONOLULU

ADOPTED ON OCT 4 2023

COMMITTEE REPORT NO. 269

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- B. In SECTION 6 of the bill, amends ROH § 15-30.3 by:
1. Removing the CD1 requirement that any expansion, reduction, modification, or dissolution of a previously-established RPZ be processed in accordance with the terms of ROH Article 13 as it read immediately prior to the effective date of the bill.
 2. Providing that the Director may only establish, expand, reduce, modify, or dissolve an RPZ for a five-year period following the effective date of the ordinance.
 3. Providing that no RPZ may be established within a one-half mile distance landward of:
 - (a) The certified shoreline, as determined by the State board of land and natural resources or the State surveyor in accordance with HRS § 205A-42, or its successor, and the rules adopted pursuant thereto; or
 - (b) If no valid certified shoreline survey exists, the shoreline as determined as the upper reaches of the waves, other than storm and seismic waves, at high tide during the season of the year in which the highest wash of the waves occurs, usually evidenced by the edge of vegetation growth, or the upper limit of debris left by the wash of the waves.
 4. Providing that the Director may not establish more than one new RPZ each calendar year.
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5. In new subsection (b), amending the criteria for the Director's consideration in establishing, expanding, reducing, or modifying an RPZ under ROH § 15-30.3(b) by: (a) adding to paragraph (1)(F)(ii) the following adverse impacts: "reduction in public access to publicly-accessible areas or health care services"; (b) adding a new paragraph (1)(H) to provide for the Director's consideration of "[t]he extent to which elimination or limitation of on-going street parking to the general public would impact access to publicly-accessible areas, including, in particular, the shoreline, legal hiking, and hunting areas"; and (c) renumbering the subsequent paragraph.
6. In new subsection (c), providing that the council may establish, expand, reduce, modify or dissolve an RPZ by resolution, subject to the limitations established in subsection (a)(1) and the criteria established in subsection (b).
7. In new subsection (d), providing that:
 - The Kalihi Valley RPZ is established;
 - Schedule XXXIX shall be in substantially the form attached to this ordinance as Exhibit A;
 - Exhibit A attached to this ordinance sets forth the streets and street segments that are included in the Kalihi Valley RPZ, which will be the first RPZ to be included on Schedule XXXIX;
 - If the Council has established, expanded, reduced, modified, or dissolved an RPZ by resolution, the Director shall amend Schedule XXXIX to reflect the Council's action;

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- If the Director determines that additional RPZs should be established, the Director may do so by submission to the Council and the City Clerk of an updated Schedule XXXIX designating the streets and street segments to be included in the new RPZ; and
 - The Director may expand, reduce, modify, or dissolve an RPZ that was established by the Director pursuant to subsection (a) by submission to the Council and the City Clerk of a revised Schedule XXXIX indicating the changes thereto.
8. Adding a new subsection (e), providing that, "[n]otwithstanding the establishment of the Kalihi Valley RPZ by ordinance pursuant to this section, the director may expand, reduce, modify, or dissolve the Kalihi Valley RPZ by submission to the council and the city clerk of a revised Schedule XXXIX indicating the changes thereto."
- C. In SECTION 8 of the bill, amends ROH § 15-30.4 as follows:
1. In subsection (a)(2), to specify that nonresidents may apply for a nonresident single-day permit for use in a specific RPZ when permitted by the Director for the specific RPZ;
 2. In subsection (b)(1) and (2), to limit each eligible dwelling unit to a combination of two annual permits (including both residential and visitor permits), with a maximum of one annual visitor permit per eligible dwelling unit (subject to a waiver of this limitation; provided that the Director may not approve more than two additional permits per dwelling pursuant to a request for waivers), plus no more than 10 single-day visitor permits per month (instead of per year);

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3. In subsection(c)(2) to allow motor vehicles displaying a special license plate, as defined in ROH § 15-29.1, to park in an RPZ without obtaining or displaying an RPZ permit; and
 4. In subsection (d), to specify that the application requirements in subdivision (1) are for residents, to add separate application requirements for a nonresident single-day permit as a new subdivision (2), and to renumber the subsequent subdivision.
- D. In SECTION 9 of the bill, amends ROH § 15-30.5 ("Fees"), as follows:
1. In subsection (a):
 - Increases the base rate for the annual residential and annual visitor permit the first vehicle to \$125, and increases the multiplier for the rates for second, third, fourth vehicles to two, three, and four times the base rate, respectively;
 - Removes from the table the rate for any vehicle after the fourth vehicle, to be consistent with new ROH § 15-30.4(b)(1), which limits the total number of annual residential and visitor permits for each eligible dwelling unit to two, with two additional annual permits possible for each dwelling unit through waivers granted by the Director, for a total maximum per dwelling unit of four annual permits; and
 - Adds the nonresident single-day permit and sets the fee therefor at \$10; and

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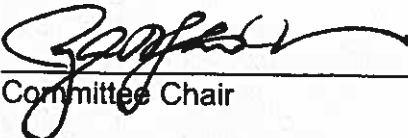
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2. In subsection (b), removes the ability of the Director to waive or reduce an RPZ fee due to a finding that the rates are too high for a particular geographic area or that the rate would cause an undue financial hardship on affected residents.
- E. In SECTION 13 of the bill, provides that, no later than four years following the effective date of the ordinance, the Council shall assess the restricted parking zone program to determine whether the Director of Transportation Services' authority to establish, expand, reduce, modify, or dissolve a restricted parking zone should be continued.
- F. Makes miscellaneous technical and nonsubstantive amendments.

Your Committee on Transportation is in accord with the intent and purpose of Bill 20 (2023), CD1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as Bill 20 (2023), CD2. (Ayes: Dos Santos-Tam, Kia'aina, Tupola – 3; Ayes with reservations: Cordero, Okimoto – 2; Noes: None.)

Respectfully submitted,



Committee Chair

At the 10/4/23 Council meeting, the Bill was further amended and subsequently passed Third Reading as Bill 20 (2023), CD2, FD1.

HONOLULU CITY COUNCIL
Ke Kanihela o ke Kalana o Honolulu
CITY AND COUNTY OF HONOLULU

ADOPTED ON

OCT 4 2023

COMMITTEE REPORT NO.

269



HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL 20 (2023), CD2

A BILL FOR AN ORDINANCE

RELATING TO PARKING.

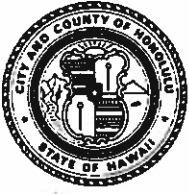
BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to address parking in the City and County of Honolulu, including the City's restricted parking zone program.

SECTION 2. Section 15-13.3, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-13.3 Parking stalls—Required parking therein.

- (a) The director of transportation services is authorized and directed to establish, mark, and designate, where there is an apparent need therefor, a consecutive series of parking stalls for the parallel or angle parking of motor vehicles or for other uses authorized in § 15-22.2 and in Chapter 14, Article 18 upon any street.
- (b) Wherever parking stalls are so established, marked off, and designated, the driver of any vehicle, excepting only single vehicles of a greater length or width, shall park ~~[such]~~ the vehicle completely within a designated stall.
- (c) Except as otherwise permitted by law, if on-street parking stalls or spaces are established, marked off, and designated along any street block, it is unlawful for the driver of any vehicle to park ~~[such]~~ the vehicle on any portion of ~~[such]~~ the street block, other than in a stall or space so established, marked off, and designated for parking ~~[along such street block]~~.
- (d) Except as otherwise permitted by § 15-13.11, wherever parking stalls are so established, marked off, and designated, each stall ~~[shall be]~~ is for the use of a single vehicle only and it is unlawful for the driver of any vehicle to park ~~[such]~~ the vehicle in a stall already occupied by another vehicle.
- (e) The term "street block" as used in this section means one side of any street, the length of ~~[such]~~ the side extending between two consecutive intersections; or, in the case of a dead-end street, one side of ~~[such]~~ the dead-end street, the length of ~~[such]~~ the side extending between the dead-end and the nearest intersection.

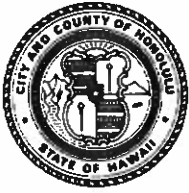


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- (f) Except as otherwise permitted by law, if on-street parking stalls or spaces are established, marked off, and designated along any street block, it is unlawful for any person to obstruct the stall or space so established, marked off, and designated for parking along the street block."

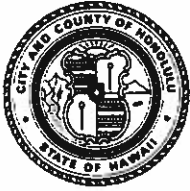
SECTION 3. Section 15-13.9, Revised Ordinances of Honolulu 2021 ("Authority to store vehicles"), is amended by amending subsection (a) to read as follows:

- "(a) Officers and employees of the Honolulu police department and department of customer services are authorized to remove vehicles or cause them to be removed from a street, highway, or pedestrian mall to a storage area or other place of safety under any of the following circumstances:
- (1) When any vehicle is left unattended upon any bridge or elevated structure, viaduct, or causeway, or left unattended in any tube or tunnel, where ~~[such]~~ the vehicle constitutes an obstruction to traffic;
 - (2) When any vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle request the removal of the vehicle or are by reason of physical injury incapacitated to such an extent as to be unable to provide for the vehicle's custody or removal;
 - (3) When any vehicle is left unattended upon a street and is parked illegally so as to constitute a definite hazard or obstruction to the normal movement of traffic;
 - (4) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the morning peak traffic hours designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays, and public holidays₁ on the streets or portions thereof described in Schedule XVII;
 - (5) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the afternoon peak traffic hours designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays, and public holidays₁ on the streets or portions thereof described in Schedule XVIII;



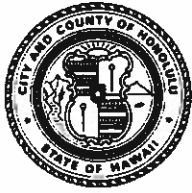
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- (6) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking during the morning [~~and/or~~] or afternoon peak traffic hours, or both, as designated by official signs specifying the hours of restricted parking every day, except Saturdays, Sundays, and public holidays, on the streets or portions thereof described in Schedule XIX;
- (7) When any vehicle is left unattended or parked in a tow zone at all hours of any day on the streets or portions thereof described in Schedule XX;
- (8) When any vehicle is left unattended or parked in a tow zone during the time of restricted parking designated by official signs specifying those times of restricted parking on the streets or portions thereof described in Schedule XXI;
- (9) When any vehicle is left unattended or parked upon a street and is parked in front of a public or private driveway so as to constitute an obstruction to vehicular traffic using or attempting to use [~~such~~] the driveway for purposes of egress or ingress;
- (10) When any vehicle is left unattended on a street, or portion thereof, so as to interfere with or impede any one or more of the following: construction, demolition, repair, [~~and/or~~] or maintenance work being done on, adjacent to, above, or below the street, provided a permit has been issued for the work by the director of transportation services, and adequate regulatory signs are posted designating the time of the prohibition;
- (11) When any vehicle is left unattended upon any street within 10 feet of a fire hydrant;
- (12) When any vehicle is left unattended upon any street within 4 feet of either side of a public or private driveway;
- (13) When any vehicle is left unattended or parked in a crosswalk, or within 20 feet of a crosswalk at an intersection, or within 20 feet upon the approach to any midblock crosswalk;



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- (14) When any vehicle is left unattended at any time on the roadway portion of any freeway; or when any vehicle, except an authorized emergency vehicle or highway maintenance or construction equipment, is left unattended on the median, shoulder, or any other portion, other than the roadway portion, of any freeway for more than four hours;
- (15) When any bus, truck, truck-trailer, trailer, van, house trailer, or any vehicle used for commercial purposes whose gross vehicle weight is 10,000 pounds or more, except vehicles of the public utilities and construction equipment while engaged in repair or construction work, or vehicles actually loading or unloading goods, wares, or merchandise, is parked on any public street for more than four consecutive hours;
- (16) When any vehicle is left unattended in a transit bus or an express bus lane;
- (17) When any vehicle is left unattended upon any bicycle lane or bicycle path;
- (18) When any vehicle is left unattended or parked in violation of the pedestrian mall provisions of Article 25;
- (19) When any vehicle is left unattended or parked in an official bus stop as described in Schedule XXV;
- (20) When any vehicle is parked, stopped, or left standing in violation of § 15-14.1(a)(21) to (a)(26);
- (21) When any vehicle is left unattended or parked on any public street, road, or highway, and the vehicle has any one or more of the following:
 - (A) No valid vehicle registration emblem or an expired vehicle registration emblem;
 - (B) No valid sticker affixed certifying a certificate of inspection as required in HRS § 286-26 or an expired certificate of inspection sticker; or
 - (C) No valid license plates.



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For the purposes of this subdivision: "public street, road, or highway" includes the entire width, including any berm or shoulder, of every road, alley, street, way, lane, trail, highway, bikeway, or bridge when any part thereof is open for use by the public;

- (22) When a vehicle is parked in a restrictive parking zone in violation of Article [29] 30 of this chapter;
- (23) When a vehicle is parked in a reserved car-sharing on-street parking stall without a valid and current reserved car-sharing on-street parking stall sticker in accordance with § 15-28.1(g);
- (24) When a vehicle is parked in a loading zone or an officially designated bus stop without a valid and current decal or other approved device permitting parking in loading zones and official bus stops in accordance with § 15-15.5;
- (25) When a shared micromobility vehicle is parked in a manner in violation of any provision of § 15-31.5; and
- (26) When any vehicle, including a trailer, is left unattended on a public street or highway for more than 24 hours."

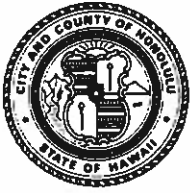
SECTION 4. Section 15-30.1, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-30.1 Definitions.

For the purposes of this article, the following definitions apply unless the context clearly indicates or requires a different meaning.

Annual Residential Permit. A card, decal, or other identification issued to an eligible resident to be placed on a vehicle that enables it to be parked in a restricted parking zone throughout a one-year period, subject to standards to be determined by the director.

Annual Visitor Permit. A card, decal, or other identification issued to an eligible resident for use by visitors in a restricted parking zone throughout a one-year period, subject to standards to be determined by the director.



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Department. The department of transportation services.

Director. The director of transportation services or the director's designee.

Dwelling Unit. Has the same meaning as defined in § 21-10.1. Each unit of a multiple-unit dwelling is considered a separate dwelling unit.

Family. Persons related by blood, adoption, or marriage.

Nonresident Single-Day Permit. A card, decal, or other identification issued to a person, not residing in a dwelling unit that is located in a restricted parking zone, for use in the restricted parking zone for a single day, subject to standards to be determined by the director.

Parking Placard for a Person with a Disability. Has the same meaning as defined in § 15-29.1.

Resident. Any of the following persons residing in a dwelling unit that is located in a restricted parking zone:

- (1) The owner of the dwelling unit and family members of the owner; or
- (2) The renter of the dwelling unit under a lease of 30 days or more, and family members of the renter.

Restricted Parking Zone or RPZ. An area of at least four contiguous blocks in a residential- or apartment-zoned district [~~where vehicles properly displaying a permit or other authorization pursuant to this article are exempt from the posted parking zone restrictions.~~] that has one or more of the following components:

- (1) Parking in the street is reserved for the exclusive use of those vehicles displaying a valid RPZ permit or other identification issued by the director as part of the RPZ program;
- (2) Parking in the street is reserved during certain posted hours for exclusive use of those vehicles displaying a valid RPZ permit or other identification issued by the director as part of the RPZ program; or



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- (3) Time limits are established for parking in the street that apply to all vehicles, except for vehicles with a valid RPZ permit or other identification issued by the director as part of the RPZ program.

Restricted Parking Zone Permit or RPZ Permit. A card, decal, or other identification issued to an eligible person to be placed on a vehicle that enables it to be parked in a restricted parking zone.

Single-Day Visitor Permit. A card, decal, or other identification issued to an eligible resident for use by a visitor in a restricted parking zone for a single day, subject to standards to be determined by the director.

Visitor. A person temporarily visiting [~~residents~~] a resident or temporarily having business with [~~residents~~] a resident who [~~are~~] is eligible for a restricted parking zone [~~permits.~~] permit."

SECTION 5. Section 15-30.2, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 15-30.2 Administration [~~of restricted parking zones~~].

- (a) ***Authorization.*** The director is authorized to maintain lists of vehicles owned or used by holders of a valid RPZ permit or other identification issued by the director as part of the RPZ program, issue permits or other means of identifying vehicles owned or used by holders of a valid RPZ permit, and adopt any other reasonable means of distinguishing vehicles that are validly parked in an RPZ from other vehicles. The RPZ permit or other means of identification must include the license plate number of the permitted motor vehicle.

- (b) ***Signage.*** [~~A restricted parking zone~~] An RPZ must be appropriately signed or marked.

~~[(b) Program components and permit use.~~

- ~~(1) A restricted parking zone may have one or more of the following components:~~

- ~~(A) Parking in the street is reserved for the exclusive use of those vehicles displaying a valid RPZ permit or other identification issued by the director as part of the RPZ program;~~



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- ~~(B) — Parking in the street is reserved during certain posted hours for exclusive use of vehicles displaying a valid RPZ permit or other identification issued by the director as part of the RPZ program; or~~
- ~~(C) — Time limits are established for parking in the street that apply to all vehicles except vehicles with a valid RPZ permit or other identification issued by the director as part of the RPZ program.~~
- ~~(2) — The director may issue permits or other means of identification, maintain lists of vehicles owned or used by permit holders, or adopt any other reasonable means of distinguishing vehicles that are validly parked in a restricted parking zone from other vehicles. The permit or other means of identification must include the license plate number of the permitted motor vehicle.~~
- ~~(3) — A permit does not guarantee or reserve to the holder an on-street parking space within the designated restricted parking zone.~~
- ~~(c) — *Application.* In order to obtain an RPZ permit, an applicant must present proof of residency in the RPZ, in addition to submittal of a completed application to the director. An applicant must also present proof that the address of vehicle registration matches the applicant's dwelling unit address, or otherwise present proof of residence within the RPZ.~~
- ~~(d) — *Permit limit.* Each eligible dwelling unit is entitled to have no more than four annual RPZ permits at any one time.~~
- ~~(e) — *Exception.* Restricted hours of the restricted parking zone shall not apply to commercial vehicles during active delivery or service to a property within the RPZ.~~
- ~~(f) — *Violations.*~~
 - ~~(1) — Except as provided in subsection (3), the registered owner of a vehicle not properly displaying a permit or other authorization pursuant to this article and parked within a restricted parking zone shall be subject to a fine of \$35. Every hour a vehicle remains parked in violation of this subdivision shall constitute a separate violation.~~



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~~(2) — A person misusing a permit, including but not limited to selling, counterfeiting, improperly using, or stealing a permit, or as otherwise determined by the director, shall be subject to a fine of \$55. Every day a permit is improperly used shall constitute a separate violation.~~

~~(3) — A driver of a motor vehicle who has a disability as defined under the Americans with Disabilities Act of 1990, 42 USC §§ 12101, et seq., as amended, and displays on the motor vehicle a valid windshield placard or special license plate for persons with disabilities issued in accordance with HRS Chapter 291, Part III, may park in an RPZ without having an RPZ permit.]"~~

SECTION 6. Section 15-30.3, Revised Ordinances of Honolulu 2021, is amended to read as follows:

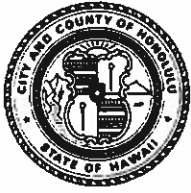
"§ 15-30.3 Establishment, expansion, reduction, modification, or dissolution of restricted parking zones.

(a) ~~[The] General. For a five-year period to expire five years after the effective date of this ordinance, the director [shall consider recommending to the council the establishment of an RPZ upon receipt of a petition signed by a majority of the residents in the area specified in the petition for the RPZ.~~

~~(b) — Upon receipt of a petition meeting the requirements of subsection (a), the director shall engage affected and interested community stakeholders through a public information and involvement program that may include department presentations to business and community associations or organizations, information distribution through the city's web site, news releases and related media, direct mailings of informational materials, facilitated meetings, sounding boards, walking tours, surveys, and other means of outreach and information gathering.] may establish, expand, reduce, modify, or dissolve an RPZ, provided that:~~

~~(1) No RPZ may be established within a one-half mile distance landward of:~~

~~(A) The certified shoreline, as determined by the State board of land and natural resources or the State surveyor in accordance with HRS § 205A-42, or its successor, and the rules adopted pursuant thereto; or~~



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(B) If no valid certified shoreline survey exists, the shoreline as determined as the upper reaches of the waves, other than storm and seismic waves, at high tide during the season of the year in which the highest wash of the waves occurs, usually evidenced by the edge of vegetation growth, or the upper limit of debris left by the wash of the waves; and

(2) The director may not establish more than one new RPZ each calendar year.

~~(c)~~ (b) Criteria.

(1) In determining whether to ~~recommend the establishment of the~~ establish, expand, reduce, or modify an RPZ, the director shall consider factors including but not limited to the following:

~~[(1) Whether 75 percent or more of the capacity of the streets in the proposed RPZ is generally occupied, and more than 35 percent of the vehicles parked on the street in the proposed RPZ are not owned by residents of the designated area;]~~

(A) The extent to which on-street parking is occupied;

(B) The extent to which off-street parking is available;

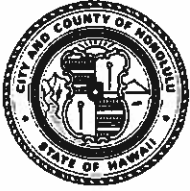
(C) The extent to which vehicles parking in the area are not registered to residents of the affected area;

~~[(2)]~~ (D) Whether there is an identifiable traffic generator;

~~[(3) Whether there has been a strong and effective community engagement effort indicating that stakeholders in the designated area support an RPZ;]~~

(E) Whether a majority of the residents in the affected area support the initiative, which may include a petition signed by a majority of the residents;

~~[(4)]~~ (F) Whether an RPZ would promote certain benefits or would result in adverse impacts[.];



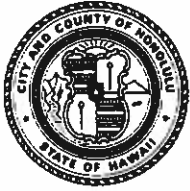
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- ~~[(A)]~~ (i) Benefits include[.] but are not limited to: increased access for area residents, reduced traffic congestion, increased traffic or pedestrian safety, reduced air or noise pollution, reduced commuter parking in neighborhoods, prevention of blighted areas, and promotion of the use of alternative modes of transportation[.]; and
- ~~[(B)]~~ (ii) Adverse impacts include[.] but are not limited to: transferring a parking problem to a different area, inability to effectively enforce program restrictions, lack of alternative transportation modes, reduction in public access to publicly-accessible areas or health care services, and availability of simpler, cheaper, or more effective solutions; ~~[and]~~
- ~~[(5)]~~ (G) Whether the public interest would be served[.];
- (H) The extent to which elimination or limitation of on-going street parking to the general public would impact access to publicly-accessible areas, including, in particular, the shoreline, legal hiking, and hunting areas; and
- (I) Whether other regulations or measures would improve parking availability.

The director may modify the hours of an existing RPZ, or expand or reduce the boundaries of an existing RPZ by two contiguous blocks or less without the necessity of considering all of the criteria set forth in this subsection.

- (2) In determining whether to dissolve an RPZ, the director shall consider factors including but not limited to the following:
 - (A) Low permit sales in an RPZ;
 - (B) The absence of the original traffic generator; and
 - (C) Whether the public interest would be served.

~~[(d)] If the director determines that an RPZ should be established, the director shall submit a written recommendation to the council to establish the RPZ by~~



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~~ordinance. The recommendation, at a minimum, must include the reasons an RPZ is needed, the boundaries of the RPZ, the terms and conditions of the RPZ, and the anticipated commencement date of the RPZ.~~

- ~~(e) Upon establishment of an RPZ by the council by ordinance, the director shall establish a community steering group for the RPZ. RPZ community steering groups shall be responsible for working with the department on implementation of the RPZ and on community security issues.]~~
- (c) The council may establish, expand, reduce, modify, or dissolve an RPZ by resolution; provided that limitations established in subsection (a)(1) and the criteria established in subsection (b) also apply to the establishment, expansion, reduction, modification, or dissolution of an RPZ by the council.
- (d) RPZs shall be described on Schedule XXXIX. Schedule XXXIX shall be in substantially the form attached to this ordinance as Exhibit A. Notwithstanding any provisions of this section, the Kalihi Valley RPZ is hereby established and Exhibit A attached to this ordinance sets forth the streets and street segments that are included in the Kalihi Valley RPZ, which will be the first RPZ to be included on Schedule XXXIX. If the council establishes, expands, reduces, modifies, or dissolves an RPZ by resolution, the director shall amend Schedule XXXIX to reflect the action of the council. If the director determines that additional RPZs should be established, the director may do so by submission to the council and the city clerk of an updated Schedule XXXIX designating the streets and street segments to be included in the new RPZ. The director may also expand, reduce, modify, or dissolve an RPZ established pursuant to subsection (a) by submission to the council and the city clerk of a revised Schedule XXXIX indicating the changes thereto.
- (e) Notwithstanding the establishment of the Kalihi Valley RPZ by ordinance pursuant to this section, the director may expand, reduce, modify, or dissolve the Kalihi Valley RPZ by submission to the council and the city clerk of a revised Schedule XXXIX indicating the changes thereto."

SECTION 7. Section 15-30.4, Revised Ordinances of Honolulu 2021, is repealed.

~~["§ 15-30.4 Expanding, reducing, or dissolving restricted parking zones.~~



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~~If the director wishes to recommend that the council expand, reduce, or dissolve an existing RPZ, the director shall engage the community in the same manner as for the establishment of an RPZ under § 15-30.3(b) and, if the director determines that the expansion, reduction or dissolution will be in the public interest, the director shall submit a written recommendation to the council to expand, reduce, or dissolve the RPZ by enactment of an appropriate revision or repeal of the existing ordinance. The recommendation, at a minimum, must include the reasons for the recommended action, the new boundaries as applicable, any changes to the terms and conditions of the restricted parking zone, and the anticipated commencement date of the recommended action."~~

SECTION 8. Chapter 15, Article 30, Revised Ordinances of Honolulu 2021 ("Restricted Parking Zones Program"), is amended by adding a new Section 15-30.4 to read as follows:

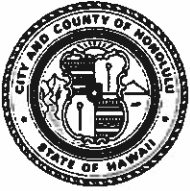
"§ 15-30.4 Permits.

(a) Type.

- (1) Residents may apply for one or more of the following types of RPZ permits, subject to the limitations in subsection (b):**
 - (A) Annual residential permit;**
 - (B) Annual visitor permit; and**
 - (C) Single-day visitor permit; and**
- (2) Nonresidents may apply for a nonresident single-day permit for use in a specific RPZ when permitted by the director for the specific RPZ.**

(b) Limitations.

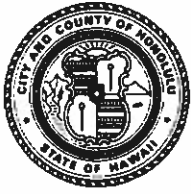
- (1) Each eligible dwelling unit is limited to two annual permits (including both residential and visitor permits); provided that each eligible dwelling unit may not obtain more than one annual visitor permit. A resident may request a waiver of this limitation from the director; provided that the director may not approve more than two additional annual permits per dwelling unit pursuant to a request for waivers under this subsection. In determining whether to grant a waiver**



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request, the director may consider the availability of on-street parking in the requester's residential area and the number of licensed drivers residing in the requester's dwelling unit.

- (2) Each eligible dwelling unit is limited to 10 single-day visitor permits per month.
 - (3) An RPZ permit does not reserve or guarantee the availability of an on-street parking space within the designated RPZ.
- (c) Exceptions. The following vehicles may park in an RPZ without obtaining or displaying an RPZ permit:
- (1) Commercial vehicles during active delivery or service to a property within the RPZ;
 - (2) A motor vehicle displaying a valid parking placard for a person with a disability or a special license plate, as defined in § 15-29.1; and
 - (3) Mopeds, motorcycles, and motor scooters, as defined in HRS § 291C-1.
- (d) Application.
- (1) Each application for a permit or renewal of a permit by a resident must contain information sufficient to:
 - (A) Identify the applicant;
 - (B) Identify the applicant's residence or real property address within an RPZ;
 - (C) Establish that the applicant is a resident of the affected area; and
 - (D) Identify the license plate number and provide proof of current Hawai'i registration of the motor vehicle for which the permit will be issued.



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- (2) Each application for a nonresident single-day permit must contain information sufficient to:
 - (A) Identify the applicant;
 - (B) Identify the applicant's residence or real property address; and
 - (C) Identify the license plate number and provide proof of current Hawai'i registration of the motor vehicle for which the permit will be issued.

- (3) All delinquent parking citations of the applicant must be paid for an application to be approved."

SECTION 9. Section 15-30.5, Revised Ordinances of Honolulu 2021, is amended to read as follows:

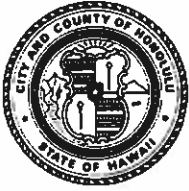
~~"§ 15-30.5 Fees [for restricted parking zone permits—Waiver or reduction of fees].~~

~~[(a) The fees to be collected by the department for restricted parking zone permits for resident parking, visitor parking with resident permit, and single day visitor parking in a restricted parking zone must be set forth in the ordinance establishing the restricted parking zone.~~

~~(b) The director is authorized to cap the number of single day visitor permits issued per restricted parking zone.]~~

(a) RPZ permit fees are as follows:

<u>Type of Permit</u>	<u>Vehicle (per dwelling unit)</u>	<u>Fee</u>
<u>Annual residential permit or annual visitor permit</u>	<u>1st vehicle</u>	<u>\$125 (base rate)</u>
	<u>2nd vehicle</u>	<u>2 times the base rate</u>



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	3 rd vehicle	3 times the base rate
	4 th vehicle	4 times the base rate
<u>Single-day visitor permit</u>	<u>Not applicable</u>	<u>\$10</u>
<u>Nonresident single-day permit</u>	<u>Not applicable</u>	<u>\$10</u>

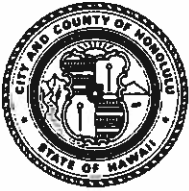
The director may administratively adjust the amount of the fees for an annual residential or visitor permit, a single-day visitor permit, and a nonresident single-day permit annually; provided that each adjustment may not increase any fee amount by more than 10 percent, and that the director must hold a public hearing before any adjustment of the fee for an annual residential or visitor permit for the first vehicle.

~~(e)~~ (b) The director may waive or reduce ~~[a restricted parking zone]~~ the RPZ fee, ~~[whenever:]~~ including if:

- (1) The waiver or reduction is in the overall public interest due to extraordinary facts or ~~[circumstance;]~~ circumstances; and
- (2) The waiver or reduction is consistent with the goals of the ~~[restricted parking zone]~~ RPZ program;
- ~~(3) The waiver or reduction is due to a finding by the director that the rates are too high for a particular geographic area; or~~
- ~~(4) The waiver or reduction is due to a finding by the director that the rate would cause an undue financial hardship on affected residents.~~

~~(d) The director, pursuant to HRS Chapter 91, may adopt rules to implement the provisions of this article."~~

SECTION 10. Chapter 15, Article 30, Revised Ordinances of Honolulu 2021 ("Restricted Parking Zones Program"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:



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"§ 15-30. Penalties.

(a) Fines.

- (1) Except as provided in § 15-30.4(c), the registered owner of a vehicle not properly displaying an RPZ permit or other authorization pursuant to this article and parked on a street within an RPZ is subject to a fine to be determined by the director by rule adopted under §15-30. . Every hour a vehicle remains parked in violation of this subdivision constitutes a separate violation.**
- (2) A person misusing a permit, including but not limited to selling, counterfeiting, improperly using, or stealing a permit, or as otherwise determined by the director by rule adopted under § 15-30. , is subject to a fine to be determined by the director. Every day a permit is misused constitutes a separate violation.**

- (b) Revocation. The director is authorized to revoke a permit if a person misuses a permit, including but not limited to selling, counterfeiting, improperly using, or stealing a permit, or as otherwise determined by the director by rule adopted under § 15-30. ."**

SECTION 11. Chapter 15, Article 30, Revised Ordinances of Honolulu 2021 ("Restricted Parking Zones Program"), is amended by adding a new section to be appropriately designated by the Revisor of Ordinances and to read as follows:

"§ 15-30. Rules.

The director shall adopt rules pursuant to HRS Chapter 91 for the implementation, administration, and enforcement of this article."

SECTION 12. Ordinance material to be repealed is bracketed and stricken. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring. In SECTION 6, the Revisor shall, pursuant to the Revisor's authority under Section 1-16.3(b)(1), Revised Ordinances of Honolulu 2021, replace the phrase "five years after the effective date of this ordinance" with the actual date five years after the ordinance's effective date. In addition, the Revisor shall replace the blanks in the new section of the Revised Ordinances of Honolulu enacted by SECTION 10 of this



HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL 20 (2023), CD2

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ordinance with the Revised Ordinances of Honolulu section number assigned by the Revisor to the Section enacted by SECTION 11 of this ordinance. The Revisor shall also insert the ordinance number of this ordinance in the blanks in Exhibit A attached hereto.



HONOLULU CITY COUNCIL
 KE KANIHELA O KE KALANA O HONOLULU
 CITY AND COUNTY OF HONOLULU

ORDINANCE _____

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SECTION 13. This ordinance takes effect upon its approval; provided that no later than four years following the effective date of this ordinance, the Council shall assess the restricted parking zone program to determine whether the Director of Transportation Services' authority to establish, expand, reduce, modify, or dissolve a restricted parking zone should be continued.

INTRODUCED BY:

Tyler Dos Santos-Tam

Radiant Cordero

DATE OF INTRODUCTION:

March 9, 2023
Honolulu, Hawai'i

 Councilmembers

APPROVED AS TO FORM AND LEGALITY:

 Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 ____.

 RICK BLANGIARDI, Mayor
 City and County of Honolulu

**SCHEDULE XXXIX
ESTABLISHMENT OF RESTRICTED PARKING ZONES**

The following streets, blocks, intersections, or portions thereof, are hereby designated as restricted parking zones.

LOCATION	AUTHORITY
KALIHI VALLEY RPZ	
ALU PLACE, both sides, for its entire length and including its turnaround area.	ORD 23-__
ALU STREET, both sides, for its entire length and including its turnaround area.	ORD 23-__
AOAO PLACE, both sides, for its entire length and including its turnaround area.	ORD 23-__
AOAO STREET, both sides, for its entire length and including its turnaround area.	ORD 23-__
JENNIE STREET, both sides, for its entire length and including its turnaround area.	ORD 23-__
KONO PLACE, both sides, for its entire length and including its turnaround area.	ORD 23-__
KONO STREET, both sides, for its entire length and including its turnaround area.	ORD 23-__
KULA KOLEA DRIVE, both sides, for its entire length and including its turnaround area.	ORD 23-__
KULA KOLEA PLACE, both sides, for its entire length and including its turnaround area.	ORD 23-__
NAAI STREET, both sides, for its entire length and including its turnaround area.	ORD 23-__
NALANIEHA STREET, both sides, from Likelike Highway to Kalihi Stream.	ORD 23-__
PILIWAI STREET, both sides, for its entire length.	ORD 23-__
WILSON PLACE, both sides, for its entire length and including its turnaround area.	ORD 23-__
WILSON STREET, both sides, for its entire length and including its turnaround area.	ORD 23-__
XXXX RPZ	
XXX STREET	TS 23-__ * +
XXY STREET	TS 23-__ * +

<i>Explanatory Key (for purposes of this draft; not to be included in final schedule):</i>		
TS – Denotes Traffic Schedule	* - Denotes Sequence Number	+ - Denotes Publication Date

Exhibit A